

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
J. ARON & COMPANY, on its own Behalf :
and as Administrative Agent for the Co- :
Lenders, :
Plaintiff, : Civ. No.: 08 CV 1866
- against - :
OSYKA PERMIAN, LLC, OSYKA :
CORPORATION, and MICHAEL F. :
HARNESS, :
Defendants. :
-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

JEANETTE ARIOLA, being duly sworn, deposes and states:

I am not a party to this proceeding, am over 18 years of age and am employed by Schulte Roth & Zabel LLP.

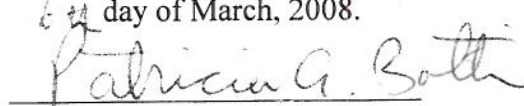
On February 26, 2008, deponent served the Summons in a Civil Action, Complaint, Judge Harold Baer Jr's. Individual Rules, United States District Court, Southern District of New York Guidelines for Electronic Filing, Procedures for Electronic Filing and Third Amended Instructions for Electronic Filing upon the following at the address designated for that purpose:

Osyka Corporation
15995 N. Barkers Landing, Suite 300
Houston, TX 77079
Attn: Michael F. Harness

Said service was made by depositing true copies of said documents, enclosed in a post-paid sealed wrapper, properly addressed to the above-named by Certified Mail, Return Receipt Requested and deposited in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York. Attached hereto and made a part of this affidavit is the original receipt for Certified Mail.


JEANETTE ARIOLA

Sworn to before me this
6th day of March, 2008.


Notary Public

10618102.1

PATRICIA A. BOTTI
Notary Public, State of New York
No. 01BO4984082
Qualified in New York County
Commission Expires July 15, 2011

U.S. Postal Service™ *Evan Melluzzo*
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$ *2.16*

Certified Fee *2.65*

Return Receipt Fee (Endorsement Required) *2.15*

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$ *6.96*

Sent To *Attn: Michael F. Harness*
Osyka Corporation
 Street, Apt. No. or PO Box No. *15995 N. Barkers Landing,*
 City, State, ZIP+4 *Houston, TX 77079 Suite 300*

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael F. Harness
Osyka Corporation
15995 N. Barkers Landing
Suite 300
Houston, TX 77079

2. Article Number (Copy from service label)

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *M. Espindola* B. Date of Delivery *2/28 FEB 28*

C. Signature *M. Espindola* ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Signature Required

4. Restricted Delivery ☐ Yes ☐ No

7005 0390 0000 7334 1042

Domestic Return Receipt

102595-00-M-0952

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

J. ARON & COMPANY, on its own Behalf and
as Administrative Agent for the Co-Lenders,

SUMMONS IN A CIVIL ACTION

V.

OSYKA PERMIAN, LLC, OSYKA
CORPORATION, and MICHAEL F. HARNESS

CASE NUMBER:

08 CV 1866

JUDGE BAER

TO: (Name and address of Defendant)

Osyka Corporation
15995 N. Barkers Landing, Suite 300
Houston, TX 77079

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Howard Godnick
Schulte Roth & Zabel LLP
919 Third Avenue
New York, New York 10022
(212) 756-2000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

FEB 26 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div><input type="checkbox"/> Other (specify):</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ Date </div> <div style="width: 60%;"> _____ <i>Signature of Server</i> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____ <i>Address of Server</i> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.